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SERVICE DATE – MAY 4, 2005

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-927X

BOOT HILL & WESTERN RAILWAY CO., L.C.–ABANDONMENT EXEMPTION–IN
FORD COUNTY, KS

Decided: May 3, 2005

Boot Hill & Western Railway Co., L.C. (BHWR), filed a notice of exemption under 49 CFR 1152 Subpart F–Exempt Abandonments to abandon a 15.8-mile line of railroad between milepost 0.0, at Bucklin, and milepost 15.8, at Wilroads, in Ford County, KS. Notice of the exemption was served and published in the Federal Register on April 5, 2005 (70 FR 17283). The exemption is scheduled to become effective on May 5, 2005.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in the proceeding on April 8, 2005. In the EA, SEA states that the U.S. Department of Commerce, National Geodetic Survey (NGS), has identified 14 geodetic station markers that may be affected by the proposed abandonment. Therefore, SEA recommends that a condition be imposed requiring BHWR to notify NGS 90 days prior to conducting salvage activities to plan for the possible relocation of the station markers.

Comments to the EA were due by April 22, 2005. No comments to the EA were received by the due date. Accordingly, the environmental condition recommended by SEA in the EA will be imposed.

As conditioned, this decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the exemption of the abandonment of the rail line described above is subject to the condition that BHWR notify NGS 90 days prior to conducting salvage activities to plan for the possible relocation of the 14 geodetic station markers identified on the line.

3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary